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7 Attorneys for Plaintiff,
Targetsafety.Com, Inc.
8

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 TARGETSAFETY.COM, INC., a California corporation,

Plaintiff,

V.

13
14 CONTINUING EDUCATION COORDINATING
15 BOARD FOR EMERGENCY MEDICAL
SERVICES, INC., a Missouri non-profit corporation
and DOES 1-10

16 Defendants.

Case No.: 08-CV-0994-JLS-JMA

**NOTICE OF ERRATA TO THE
DECLARATION OF KYLE
KAECHELE IN SUPPORT OF
TARGETSAFETY.COM'S REPLY RE:
MOTION FOR PRELIMINARY
INJUNCTION AND TEMPORARY
RESTRAINING ORDER**

Date: October 16, 2008
Time: 1:30 p.m.
Dept: 6
Judge: Hon. Janis L. Sammartino

TO THE COURT, THE PARTIES AND TO THEIR ATTORNEYS OF RECORD:

19 Plaintiff TargetSafety.Com, Inc. (“TargetSafety”) respectfully submits the following
20 errata regarding the Declaration of Kyle Kaechele in Support of TargetSafety.Com’s Reply Re:
21 Motion for Preliminary Injunction and Temporary Restraining Order. The corrections noted
22 below are due to typographical errors.

23 1. Replace hearing date on caption of October 13, 2008 with October 16, 2008.

24 2. Replace the sentence appearing in Paragraph 8, at lines 5-9, page 3 with the

25 following sentence: "At no time during the application process until in or about April 2008 did

26 Ms. Sibley or anyone from CECBEMS inform me, or to the best of my knowledge anyone at

27 TargetSafety, that a requirement of CECBEMS course-by-course accreditation was that an online

1 education provider, such as TargetSafety, must agree to only offer CECBEMS-accredited courses
2 and not offer state-accredited courses.”¹

3 TargetSafety hereby attaches pages 1 and 3 of the Declaration of Kyle Kaechele in
4 support of TargetSafety.Com’s Reply Re: Motion for Preliminary Injunction and Temporary
5 Restraining Order containing the noted corrections. TargetSafety respectfully requests that the
6 Court consider the matters noted herein.

7 DATED: August 21, 2008

8 PROCOPIO, CORY, HARGREAVES &
9 SAVITCH LLP

10 By: /s/ Frank L. Tobin
11 Frank L. Tobin
12 Mathieu G. Blackston
13 Attorneys for Plaintiff,
14 TargetSafety.com, Inc.

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28 ¹ The execution date and location of signing of the Declaration has also been changed to show the
actual date that and location where the corrected page was signed.

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UNITED STATES DISTRICT COURT
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**DECLARATION OF KYLE
KAECHELE IN SUPPORT OF
TARGETSAFETY.COM'S REPLY RE:
MOTION FOR PRELIMINARY
INJUNCTION AND TEMPORARY
RESTRAINING ORDER**

Date: October 16, 2008
Time: 1:30 p.m.
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Judge: Hon. Janis L. Sammartino

18 I, Kyle Kaechele, declare as follows:

19 1. I am Managing Director for TargetSafety.Com, Inc.'s ("TargetSafety") Prevention
20 Link Services. I have worked for TargetSafety since 2001 and as part of my job duties I have
21 actively developed sales and business opportunities in the sector of TargetSafety's business
22 offering online continuing education courses for emergency medical service ("EMS")
23 professionals.

24 2. I have personal knowledge of the following facts and would and could testify to
25 them if called upon to do so, with the exception of those matters stated on information and belief
26 and as to those matters I believe them to be true.

27 3. By the spring of 2006, TargetSafety's online EMS continuing education product
28 had become very popular with EMS professionals. At this time, TargetSafety's online EMS

1 8. Later that year, TargetSafety decided to apply for course-by-course accreditation
2 from CECBEMS in order to expand its market share into states where CECBEMS' accreditation
3 is required. At no time during the application process did I inform Ms. Sibley or anyone at
4 CECBEMS that TargetSafety would no longer offer its online continuing courses that had been
5 accredited by state EMS agencies. At no time during the application process until in or about
6 April 2008 did Ms. Sibley or anyone from CECBEMS inform me, or to the best of my
7 knowledge anyone at TargetSafety, that a requirement of CECBEMS course-by-course
8 accreditation was that an online education provider, such as TargetSafety, must agree to only
9 offer CECBEMS-accredited courses and not offer state-accredited courses.

9 offer CECBEMS-accredited courses and programs.
10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct.

11 foregoing. I
12 Executed this 20th day of August 2008, at San Diego, California.

Kyle Kaechele

1 Frank L. Tobin (Bar No. 166344)
2 Mathieu G. Blackston (Bar No. 241540)
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TargetSafety.com

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

TARGETSAFETY.COM, INC., a California corporation

Case No.: 08-CV-0994-JLS-JMA

Plaintiff,

V.

14 CONTINUING EDUCATION COORDINATING
15 BOARD FOR EMERGENCY MEDICAL
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and DOES 1-10

PROOF OF SERVICE

Date: October 16, 2008
Time: 1:30 p.m.
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16 Defendants.

I am a resident of the State of California, over the age of eighteen years, and not a party to the
within action. My business address is PROCOPIO, CORY, HARGREAVES & SAVITCH LLP,
530 "B" Street, Suite 2100, San Diego, California 92101.

On August 21, 2008, I served the within documents:

**NOTICE OF ERRATA TO THE DECLARATION OF KYLE KAECHELE
IN SUPPORT OF TARGETSAFETY.COM'S REPLY RE: MOTION FOR
PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING
ORDER**

23 by transmitting via facsimile number (619) 235-0398 the document(s) listed above to the
24 fax number(s) set forth below on this date before 5:00 p.m. A copy of the transmission
confirmation report is attached hereto.

by the Court's Electronic Filing System pursuant to U.S. District Court, Southern District, Local Civil Rule 5.4(c)

1	Keith Zakarin Duane Morris LLP 101 West Broadway, Suite 900 San Diego, CA 92101 (619)744-2278 (619)744-2201 (fax) kzakarin@duanemorris.com	Attorneys for Defendants Continued Education Coordinating Board for Emergency Medical Services, Inc
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- 5 *(State)* I declare under penalty of perjury under the laws of the State of California that
6 the above is true and correct.
7 *(Federal)* I declare that I am employed in the office of a member of the bar of this court
at whose direction the service was made.

8 Executed on August 21, 2008, at San Diego, California.

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Barbara Culp

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